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Judge Edgardo Ramos
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007
By ECF

April 1, 2016

Re: Murray v. Ruderfer
15CV913 (ER)

Your Honor –

Plaintiff objects to the following jury charge proposed by defendants:

Defendants' instructions concerning the search of plaintiff's automobile on page 8 do not include the well-established and oft-cited rule of constitutional law that warrantless searches are per se unreasonable subject to only limited exceptions.

"Consistent with our precedent, our analysis begins, as it should in every case addressing the reasonableness of a warrantless search, with the basic rule that searches conducted outside the judicial process, without prior approval by judge or magistrate, are per se unreasonable under the Fourth Amendment—subject only to a few specifically established and well-delineated exceptions."

Arizona v. Gant, 556 U.S. 332, 338 (2009).

We therefore request that this language be included in any court's jury charge related to the search of plaintiff's automobile.

Sincerely,

/S/
Leo Glickman